

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA**


JOSHUA TONY CODYNAH,)	
)	
Petitioner,)	
)	
v.)	Case No. CIV-23-478-J
)	
DAVID BUSS,)	
)	
Respondent.)	

ORDER

Petitioner, a state prisoner appearing pro se, filed a petition and amended petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. [Doc. Nos. 1, 16]. The matter was referred to United States Magistrate Judge Suzanne Mitchell for initial proceedings consistent with 28 U.S.C. § 636(b)(1)(B) and (C). On April 2, 2024, Judge Mitchell issued a Report and Recommendation recommending that Petitioner's amended § 2254 petition be denied. [Doc. No. 26]. Petitioner was advised of his right to object to the Report and Recommendation by April 23, 2024. Petitioner has not objected and has therefore waived any right to appellate review of the factual and legal issues in the Report and Recommendation. *See Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991).

Accordingly, the Court ADOPTS the Report and Recommendation [Doc. No. 26] and DENIES Petitioner's amended § 2254 petition [Doc. No. 16]. The Court also DENIES a certificate of appealability, as it concludes Petitioner has not made "a substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2).

IT IS SO ORDERED this 2nd day of May, 2024.


BERNARD M. JONES
UNITED STATES DISTRICT JUDGE